

ORIGINAL

Ropers Majeski Kohn & Bentley
A Professional Corporation
San Francisco

VIA FAX

1 GEORGE G. WEICKHARDT (SBN 58586)
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Attorneys for Defendant
CHASE BANK USA, N.A.

E-filing

FILED
08 MAY 27 PM 1:51
RICHARD W. WEICKHARDT
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CV 08

2640

MARIA TICZON,

CASE NO.

Plaintiff,

NOTICE OF REMOVAL OF ACTION
PURSUANT TO 28 U.S.C. §1441(b)

v.

CHASE BANK USA, N.A.; DOES 1
THROUGH 10,

Defendants.

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that defendant Chase Bank USA, N.A. ("Chase Bank") hereby removes to this Court the state court action described below.

1. On April 24, 2008, an action was commenced in the Superior Court of the State of California in and for the County of San Mateo entitled MARIA TICZON, plaintiff, vs. CHASE BANK USA, N.A.; DOES 1 THROUGH 10, defendants, as case number 472286. A copy of the complaint in that action is attached hereto as Exhibit A.

2. The first date upon which defendant Chase Bank received a copy of the complaint attached hereto as Exhibit A was May 6, 2008, when Chase Bank was served with a copy of said complaint and a summons from the state court. Accordingly, the 30 day period for removal has

1 not expired as of the date this notice of removal was filed. A copy of the summons is attached
2 hereto as Exhibit B.

3 3. This action is a civil action of which this Court has original jurisdiction under 28
4 U.S.C. §1331, and is one which may be removed to this Court by defendant Chase Bank pursuant
5 to the provisions of 28 U.S.C. §1441(b), in that the claims in this action arise under the Fair Debt
6 Collection Practices Act, 15 U.S.C. §§ 1692, *et seq.*

7 4. Plaintiff alleges violation of the federal Fair Debt Collection Practice Act in
8 several paragraphs of her complaint, including the following:

- 9 a. Paragraph 1: Plaintiff "brings this lawsuit seeking damages from
10 Defendant[] . . . for its violation of the California and Federal laws
11 regulating consumer debt collection practices;
12 b. Paragraph 19: Defendant's conduct "violates 15 U.S.C. § 1692c(a)(2),
13 which states a debt collector may not communicate with a consumer
14 without the consumer's permission;"
15 c. Paragraph 21: "Defendant Chase [Bank] violates . . . 15 U.S.C. §
16 1692c(a)(2) by communicating with Plaintiff after receiving notice of
17 attorney representation;"
18 d. Prayer A: Plaintiff seeks "[s]tatutory damages as to Defendant Chase
19 [Bank] pursuant to . . . 15 U.S.C. § 1692k;" and
20 e. Prayer B: Plaintiff seeks "[r]easonable attorney's fees and costs, pursuant
21 to . . . 15 U.S.C. § 1692k(a)(3)."

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A Professional Corporation
San Francisco

1 5. Intradistrict Assignment: Pursuant to Local Civil Rule 3-5(b), defendant Chase
2 Bank respectfully submits that this action should be assigned to the San Francisco division of this
3 district because a substantial part of the events alleged in the Plaintiff's complaint occurred in the
4 County of San Mateo.

5 Dated: May 27, 2008

ROPERS, MAJESKI, KOHN & BENTLEY

6
7 By: 
8 GEORGE G. WEICKHARDT
9 Attorneys for Defendant
10 CHASE BANK USA, N.A.
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COPY

1 Irving L. Berg (SBN 36273)
 2 THE BERG LAW GROUP
 3 145 Town Center, PMB 493
 4 Corte Madera, California 94925.
 (415) 924-0742
 (415) 891-8208 (Fax)
 irvberg@comcast.net (e-mail)

5 ATTORNEY FOR PLAINTIFF

ENDORSED FILED
SAN MATEO COUNTY

APR 24 2008

Clerk of the Superior Court
 By R. Montgomery
 DEPUTY CLERK

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 8 COUNTY OF SAN MATEO
 9 LIMITED CIVIL

10 MARIA TICZON, an individual,

Case No.: **CJ 472286**

11 Plaintiff,

COMPLAINT SEEKING DAMAGES FOR
 UNLAWFUL DEBT COLLECTION
 PRACTICES

12 v.

13 CHASE BANK USA, N.A.; DOES 1
 THROUGH 10,

DEMAND FOR JURY TRIAL

14 Defendants.

15 **I. INTRODUCTION**

16 1. Plaintiff MARIA TICZON is a resident of San Mateo County. She brings this
 17 lawsuit seeking damages from Defendants Chase Bank ("Chase"), for its violation of the
 18 California and Federal laws regulating consumer debt collection practices.

19 2. The Defendant, Chase, is a debt collector as defined at Cal. Civ. Code §
 20 1788.2(c), which provides:

21 (c) The term "debt collector" means any person who, in the
 22 ordinary course of business, regularly, on behalf of himself or
 23 herself or others, engages in debt collection.

24 3. The California law, known as the Rosenthal Fair Debt Collection Practices Act, is
 25 at Cal. Civ. Code § 1788, *et seq.* The California law incorporates provisions of the federal Fair
 26 Debt Collection Practices Act ("FDCPA"), pursuant to Cal. Civ. Code § 1788.17, which states:

27every debt collector collecting or attempting to collect a
 28 consumer debt shall comply with the provisions of Sections
 1692b to 1692j.... of Title 15 of the United States Code [i.e., the

COMPLAINT SEEKING DAMAGES

(A)

1 FDCPA].

2 4. Plaintiff, by this action, seeks statutory damages, attorney's fees and costs.

3
4 **II. JURISDICTION AND VENUE**

5 5. Jurisdiction in this court is conferred by 15 U.S.C. § 1692k(d).

6 6. Venue is proper in this county because Defendant do business in this county, and
7 the collection communications were received in this county.

8 **III. PARTIES**

9 7. Plaintiff, MARIA TICZON ("Ms. Ticzon") is a married woman who resides with
10 her husband in South San Francisco, CA.

11 8. Defendant Chase has a principal office at 1 200 White Clay Center Drive,
12 Newark, DE 19711. Chase is a debt collector as defined at Cal. Civ. Code § 1788.2. Chase is
13 amenable to service of process on an officer at its principal office.

14 9. Plaintiff is ignorant of the true names or capacities of the Defendant sued herein
15 under the fictitious names of DOE ONE through TEN inclusive.

16 10. Each of the fictitiously named Doe Defendant is responsible in some manner for
17 the wrongdoing alleged herein, and is liable for the damages recoverable by Plaintiff. Each of
18 the Defendant was acting as agent or employee for the others. Plaintiff will seek leave of the
19 court to name the Doe Defendant when their true names and identities are ascertained.

20 **IV. FACTUAL ALLEGATIONS**

21 11. Sometime ago, Plaintiff was issued a credit card by Defendant Chase for use at
22 Circuit City and other retail stores. The last four digits of the account were 8363.

23 12. Plaintiff used the account for purchase of consumer goods for Plaintiff's personal
24 and household needs.

25 13. Plaintiff was unable to make payment on the account because of financial
26 setbacks.

27 14. Plaintiff sought legal representation to help her through this bleak financial
28 period, and to deal with the unrelenting and stressful demands of her creditors and their

COMPLAINT SEEKING DAMAGES

MARIA TICZON V.
CHASE BANK USA, N.A., et al.

1 collection agents. She hired attorney Irving L. Berg for legal representation.

2 15. Plaintiff was advised by her attorney that, once her creditors and their collection
3 agents were advised of attorney representation, the law required that the creditors and their
4 collection agents must leave Plaintiff alone and deal with the attorney.

5 16. On February 20, 2008, Plaintiff's attorney sent Defendant Chase a letter advising
6 of his representation of Plaintiff. Exhibit A is a copy of the letter. The letter states, among other
7 things:

8 **The captioned consumer is a client of mine. All
9 communications concerning my client's financial affairs,
10 including the captioned debt, and any other debts you claim
owed by my client shall hereafter be made to this office in
writing.**

11 17. On March 11, 2008, Defendant Chase, notwithstanding the notice of attorney
12 representation (Exhibit A), wrote Plaintiff directly, demanding payment of the account. Exhibit
13 B is a copy of the Defendant's letter.

14 18. Defendant Chase is liable for sending a collection letter, Exhibit B, to Plaintiff
15 after advisement of attorney representation. Defendant's conduct violates Cal. Civ. Code §
16 1788.14(c), which prohibits:

17 **(c) Initiating communications other than statements of
18 account, with the debtor with regard to the consumer debt,
when the debt collector has been previously notified in writing
19 by the debtor's attorney that the debtor is represented by such
attorney with respect to the consumer debt and such notice
20 includes the attorney's name and address and a request by
such attorney that all communications regarding the consumer
21 debt be addressed to such attorney, unless the attorney fails to
answer correspondence, return telephone calls, or discuss the
22 obligation in questions.**

23 19. Said conduct further violates 15 U.S.C. § 1692c(a)(2), which states a debt
24 collector may not communicate with a consumer without the consumer's permission:

25 **(2) if the debt collector knows the consumer is represented by an
attorney with respect to such debt and has knowledge of, or can
26 readily ascertain, such attorney's name and address, unless the
attorney fails to respond within a reasonable period of time to a
27 communication from the debt collector or unless the attorney consents
to direct communication with the consumer....**

CLAIM FOR RELIEF

20. Plaintiff incorporates by reference all of the foregoing paragraphs.

21. Defendant Chase violates Cal. Civ. Code § 1788.14(c) and 15 U.S.C. § 1692c(a)(2) by communicating with Plaintiff after receiving notice of attorney representation.

V. PRAYER

WHEREFORE, according to the remedies allowable under the California law and Federal law, as provided by Cal. Civ. Code § 1788.32:

The remedies provided herein are intended to be cumulative and are in addition to any other procedures, rights, or remedies under any other provision of law,

Plaintiff prays for damages as follows:

A. Statutory damages of \$2,000 as to Defendant Chase, pursuant to Cal. Civ. Code §§ 1788.30(b) and 15 U.S.C. § 1692k;

B. Statutory damages of \$8,000 as to the Doe Defendants, each Doe Defendant to pay its proportionate share, pursuant to Cal. Civ. Code § 1788.30(b) and 15 U.S.C. § 1692k;

C. Reasonable attorney's fees and costs, pursuant to Cal. Civ. Code § 1788.30 and 15 U.S.C. § 1692k(a)(3).

Dated: 4/12/08.

/s/
Irving L. Berg
THE BERG LAW GROUP
145 Town Center, PMB 493
Corte Madera, California 94925
(415) 924-0742
(415) 891-8208 (Fax)

ATTORNEYS FOR PLAINTIFF

JURY DEMAND

Plaintiff demands trial by jury.

Dated: 4/12/08

/s/
Irving L. Berg

COMPLAINT SEEKING DAMAGES

THE BERG LAW GROUP
ATTORNEYS AND COUNSELORS AT LAW
145 Town Center, PMB 493
Corte Madera, California 94925
Phone: (415) 924-0742 Fax: (415) 891-8208
e-mail: irvberg@comcast.net

IRVING L. BERG, ESQ.

February 20, 2008

Chase Card Member Service
PO Box 94011
Palatine, IL 60094-4011

Re: *Marica Ticzon*
Your Acct #: xxx8363
Alleged Creditor: Circuit City

Notice of Attorney Representation and
Notice of Dispute

Dear Sir or Madam:

I am the attorney for the consumer noted above. You are advised to direct all communications to my office in connection with the collection of any debt allegedly owed by my client to your company or your client; related companies; or companies to whom the debt is assigned or sold.

Please address all inquiries to my attention in writing. The captioned debt is disputed. Please forward verification of the debt. In the unlikely event that the legal relationship with my client is terminated, you will be notified in writing.

Your collection practices are governed by Federal and California consumer laws. If you have any doubt as to these matters, deliver this letter to your attorney or insurance carrier. The law prohibits you from contacting my client, my client's employer, or my client's family regarding the alleged debts.

Further, please note that, should a legal action be brought against you in connection with your collection practices, the legal action could result in a judgment that would include actual costs of filing the complaint, actual costs of service of process, and reasonable attorney's fees.

Your co-operation is appreciated

Sincerely,

Irving L. Berg
ILB/of

Chase Bank USA, N.A.
P.O. Box 100043
Kennesaw, GA 30156-9243



March 11, 2008

0002414

Maria S Ticzon
266 Dundee Dr
South San Francisco, CA 94080-1024

Acct No: XXXXXXXXXXXX8363
Current Balance: \$5,021.61
Amount Due: \$678.00

Dear Maria S Ticzon:

Your Circuit City® Rewards account with Chase Bank USA, N.A. (Chase) has been CLOSED due to the account's current serious delinquent status. It has been reported to the national credit bureaus with a derogatory credit rating. However, if immediate payment of \$678.00 is made, we may consider reopening your account in the near future.

AVOID ADVANCED COLLECTION ACTIVITY AND THE POSSIBILITY OF A CHARGED OFF ACCOUNT BEING REFLECTED ON YOUR CREDIT BUREAU REPORTS!

You can make your payment by using your checking account information and calling the number below Monday through Friday, from 9:00 AM to 12:00 AM (ET) or Saturday, 9:00 AM to 9:00 PM (ET). Payments can also be made in any Circuit City® store or Western Union Agency office. To find the Western Union Agency office nearest you, call (800) 325-6000. You may also contact an Account Management Representative to confirm your payment today by calling the number below.

Account Management Department
1-800-204-6338

P.S. Visit us online at www.circuitcitycredit.com. You can check your current balance, make payments, view recent transactions, and even download posted transactions into your financial management software 24 hours a day, 7 days a week.

Account is owned by Chase Bank USA, N.A.

Calls may be monitored and/or recorded to ensure the highest level of quality service.

//FNAS250C/TNP6308/1103080631019995//PL/CR1/

SUM-100

SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):

CHASE BANK USA, N.A.; DOES 1 THROUGH 10

YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):
MARIA TICZON, an individual

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

ENDORSED FILED
SAN MATEO COUNTY

APR 24 2008

Clerk of the Superior Court
By R. Montgomery
DEPUTY CLERK

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito debe que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.courtinfo.ca.gov/selfhelp/espanol), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California (www.courtinfo.ca.gov/selfhelp/espanol) o poniéndose en contacto con la corte o el colegio de abogados locales.

The name and address of the court is:

(El nombre y dirección de la corte es):

Superior Court of California, County of San Mateo
Southern Branch - Limited Civil

400 County Center, Redwood City, CA 94063-1655

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Irving L. Berg, Attorney at Law, THE BERG LAW GROUP

145 Town Center, PMB 493, Corte Madera, CA 94925, (415) 924-0742

MONTGOMERY

DATE:

(Fecha)

APR 24 2008

JENNIFER FITTON

Clerk by
(Secretario)

Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons. (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):

3. ☐ on behalf of (specify):

- under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ other (specify):

4. ☐ by personal delivery on (date):

Form Adopted for Mandatory Use
Judicial Council of California
SUM-100 (Rev. January 1, 2004)

SUMMONS

Code of Civil Procedure §§ 412.20, 405
Amended Legislature, 1997, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008

Page 1 of 1

(B)

РЛН

99

CIVIL COVER SHEET

ORIGINAL

DEFENDANTS

Chase Bank USA, N.A.

County of Residence of First Listed Defendant County of New Castle, DE
(IN U.S. PLAINTIFF CASES ONLY)

Attorneys (If Known)

Ropers Majeski Kohn & Bentley
201 Spear Street, Suite 1000
San Francisco, CA 94105

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff
(For Diversity Cases Only) and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|--|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated <i>and</i> Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury—Med. Malpractice <input type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Trcs. <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RS1 (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> Habes Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habes Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions		

☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Judge from Magistrate Judgment

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Fair Debt Collection Practices Act action

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ 10,000

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

PLEASE REFER TO CIVIL L.R. 3-12 CONCERNING REQUIREMENT TO FILE
"NOTICE OF RELATED CASE".

☒ SAN FRANCISCO/OAKLAND ☐ SAN JOSE

DATE _____

SIGNATURE OF ATTORNEY OF RECORD

May 27, 08

☒ SAN FRANCISCO/OAKLAND ☐
JURY OF ATTORNEY OF RECORD
Craig Allen

Court Name: U.S. District Court, NDCA
Division: 3
Receipt Number: 34611019513
Cashier ID: bucklem
Transaction Date: 05/27/2008
Payer Name: Ace Messenger and Attorney

CIVIL FILING FEE
For: chase bank
Case/Party: D-CAN-3-08-CV-002640-001
Amount: \$350.00

CHECK
Check/Money Order Num: 29875
Amt Tendered: \$350.00

Total Due: \$350.00
Total Tendered: \$350.00
Change Amt: \$0.00

pjh

Checks and drafts are accepted
subject to collections and full
credit will only be given when the
check or draft has been accepted by
the financial institution on which
it was drawn.